IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

W&O SUPPLY, INC.,	§
Plaintiff,	§ §
v.	S CIVIL ACTION NO.: 4:19-CV-00153
BRANDON PITRE, TOBI JOHNSON,	§ Hon. Kenneth M. Hoyt
WILLIAM TERRY, WILLIAM FULLER, and INDEPENDENCE VLAVE &	§ JURY TRIAL DEMANDED
SUPPLY, LLC	§ §
Defendants.	§

DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT AND REQUEST FOR PRELIMINARY INJUNCTION

Defendants Brandon Pitre, Tobi Johnson, William Terry, William Fuller, and Independence Valve & Supply, LLC (collectively "Defendants"), respectfully move the Court to dismiss Plaintiff's Amended Complaint and Request for Preliminary Injunction under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted. In support of this motion, Defendants submit a memorandum in support of their motion and include a proposed order.

Dated: March 8, 2019 Respectfully submitted,

Johnson & Associates, Attorneys at Law PLLC

By: /s/ Christopher L. Johnson

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CERTIFICATE OF SERVICE

I, herby certify that a true and correct copy of the foregoing has been served on all counsel of record whom have appeared in this case via the Southern District of Texas Electronic Case Filing System on March 8, 2019.

/s/ Christopher L. Johnson
Christopher L. Johnson